

FILED

UNITED STATES COURT OF APPEALS

OCT 13 2011

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

GENTRY CARL LABUFF,

Defendant - Appellant.

No. 10-30274

D.C. No. 4:10-cr-00023-SEH-1

District of Montana,

Great Falls

ORDER

Before: FISHER, GOULD, and PAEZ, Circuit Judges.

The government's request for publication is GRANTED. The memorandum disposition filed on July 1, 2011 is withdrawn and is replaced with an opinion filed concurrently with this order.

No petitions for rehearing or rehearing *en banc* may be filed in response to the opinion.